

September 13, 2024  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

GREGORY ALLEN KERSEY, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ROCKBRIDGE REGIONAL JAIL, )  
 )  
Defendant. )

Case No. 7:24-cv-00427

**MEMORANDUM OPINION**

By: Hon. Thomas T. Cullen  
United States District Judge

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Plaintiff Gregory Allen Kersey, proceeding *pro se*, filed a civil-rights action under 42 U.S.C. § 1983 naming the Rockbridge Regional Jail as the sole defendant. (*See* Compl. [ECF No. 1].) Because a jail is not a “person” subject to suit under § 1983, *see Perdue v. Penalosa*, 38 F.3d 1213, 1213 (4th Cir. 1994), the Court advised Plaintiff that his complaint failed to state a claim for relief under § 1983 against the named defendant and ordered Plaintiff to file an amended complaint correcting this deficiency. (*See* Order, July 19, 2024 [ECF No. 5].)

Plaintiff subsequently filed an amended complaint which largely restates the limited allegations in his original complaint and which, again, names only the Rockbridge Regional Jail as the defendant. (*See* Am. Compl. [ECF No. 6].) Because Plaintiff’s amended complaint did not correct the identified deficiency and still fails to state a claim under § 1983 against the named defendant, the Court will dismiss this action under 28 U.S.C. § 1915A(b)(1).

The Clerk is directed to forward a copy of this Memorandum Opinion and accompanying Order to Plaintiff.

**ENTERED** this 13th of September, 2024.

/s/ Thomas T. Cullen  
HON. THOMAS T. CULLEN  
UNITED STATES DISTRICT JUDGE